

Message Text

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C O N F I D E N T I A L GENEVA 6321

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E.O. 11652: GDS

TAGS: PARM, CCD

SUBJECT: CCD - NWFZ STUDY

REF: GENEVA 6218

SUMMARY: THIS MESSAGE REPORTS ON CURRENT STATUS OF NWFZ STUDY AND DISCUSSES TIMING OF FINAL GOVERNMENTAL REVIEW AND APPROVAL OF STUDY. AD REFERENDUM TEXTS OF INTRODUCTION AND CHAPTERS THREE THROUGH EIGHT BEING TRANSMITTED SEPARATELY. ADDITIONAL SEPTTEL PROVIDES US DEL'S COMMENTS ON TREATMENT OF CERTAIN KEY ISSUES IN EACH CHAPTER. END SUMMARY.

1. AFTER MUCH DELAY, CAUSED BY LAST-MINUTE INTRODUCTION OF NEW MATERIAL BY SEVERAL EXPERTS AND BY CORRESPONDING INTRODUCTION OF BALANCING STATEMENTS BY OTHERS, AD REFERENDUM TEXTS OF ALL CHAPTERS ARE VIRTUALLY COMPLETED. BARRING FURTHER SURPRISES, WE WOULD EXPECT TO RECEIVE FROM SECRETARIAT CLEAN COPIES
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OF ALL CHAPTERS BY EVENING OF AUGUST 13 AND TO

TRANSMIT TEXTS TO WASHINGTON IMMEDIATELY THEREAFTER.

2. PRESSURE HAS GROWN FOR EARLY APPROVAL BY GOVERNMENTS TO TRANSMIT STUDY FORMALLY TO CCD. AS REPORTED REFTEL, WE BELIEVE OTHER EXPERTS EITHER CURRENTLY HAVE AUTHORITY TO ACCEPT STUDY IN PRESENT FORM OR, LIKE BRITISH, WILL BE IN POSITION TO DO SO WITHIN TWENTY-FOUR HOURS. ADDING TO PRESSURE FOR QUICK GOVERNMENTAL REVIEW IS DESIRE FOR AMPLE CCD EXAMINATION OF REPORT, INCLUDING TIME TO DIGEST THE STUDY AND SUFFICIENT NUMBER OF PLENARY MEETINGS TO PERMIT ALL INTERESTED DELEGATIONS TO COMMENT FOR THE RECORD.

3. WE HAVE ARGUED THAT CURRENT STUDY, UNLIKE PREVIOUS STUDIES PREPARED BY PRIVATE EXPERTS UNDER UNSYG'S AUSPICES, REQUIRES CAREFUL AND SERIOUS GOVERNMENTAL REVIEW AND THAT THERE WAS CLEAR UNDERSTANDING THAT EACH GOVERNMENT HAS RIGHT TO HAVE ITS VIEWS ADEQUATELY REFLECTED. WE HAVE AGREED TO PERMIT AD REFERENDUM TEXTS TO BE CIRCULATED INFORMALLY TO CCD MEMBERS SO THAT THEY COULD ACQUAINT THEMSELVES WITH CONTENTS AND BEGIN FORMULATING PRESENTATIONS FOR PLENARY. WE HAVE ALSO SUGGESTED THAT EXTRA PLENARY SESSIONS BE HELD DURING FINAL WEEK OF CCD SESSION TO PROVIDE AMPLE OPPORTUNITY FOR STATEMENTS ON CCD RECORD.

4. DESPITE THESE ATTEMPTS TO DIMINISH FELT NEED FOR VERY RAPID REVIEW, DEMANDS PERSIST. SOME CCD DELS AND NWFZ EXPERTS ARE EVEN ARGUING THAT AD REFERENDUM TEXT SHOULD NOT BE ALTERED FURTHER AND THAT STUDY SHOULD BE APPROVED FORMALLY VERY SOON WHETHER OR NOT US IS PREPARED TO JOIN. THEY ARGUE SPECIFICALLY THAT "AD REFERENDUM" SHOULD BE INTERPRETED AS MERELY GIVING GOVERNMENTS OPPORTUNITY TO WITHHOLD THEIR EXPERTS' ENDORSEMENT OF STUDY IF STUDY IS NOT ACCEPTABLE. GARCIA ROBLES (MEXICO), FOR EXAMPLE, TOLD MARTIN (US) THAT REVIEW OF TEXT SHOULD BE ON TAKE-IT-OR LEAVE-IT BASIS AND THAT, IF INSTRUCTIONS COULD NOT BE RECEIVED PROMPTLY, US COULD RESERVE ITS POSITION ON STUDY AND/OR MAKE INTERPRETIVE STATEMENT CONFIDENTIAL

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IN PLENARY OF ANY RESERVATIONS.

5. WE BELIEVE IT WOULD BE UNDESIRABLE TO PERMIT STUDY TO GO FORWARD WITHOUT OUR APPROVAL. RESERVED US POSITION ON TRANSMITTAL, EVEN IF WE COULD LATER ASSOCIATE OURSELVES WITH STUDY, COULD TURN A ROUTINE AND BARELY NOTICEABLE INTERNATIONAL STUDY INTO SIGNIFICANT ISSUE AT UNGA. ACCORDINGLY, WE WILL

CONTINUE TO ARGUE THAT GOVERNMENTS MUST HAVE REASONABLE OPPORTUNITY TO REVIEW STUDY, SUGGEST ANY FURTHER CHANGES THAT ARE ESSENTIAL TO THEM, AND ASSOCIATE THEMSELVES WITH TRANSMITTAL.

6. GIVEN GROUND RULES AGREED BY EXPERTS, WE SERIOUSLY DOUBT THAT OTHERS COULD SUCCEED IN HAVING STUDY TRANSMITTED TO CCD OVER OUR STRONG OBJECTIONS, AND WE FEEL THAT OPPORTUNITY STILL EXISTS TO SEEK IMPROVEMENTS THAT WASHINGTON DEEMS NECESSARY. AT SAME TIME, IT MUST BE RECOGNIZED THAT BEYOND SOME POINT (BOTH IN TERMS OF DATE BY WHICH WE ARE PREPARED TO SUGGEST CHANGES AND NUMBER/TYPE OF CHANGES WE SEEK), WE WOULD BE TAKING FAIRLY SERIOUS RISKS. UNREASONABLE DELAY IN SUGGESTING FURTHER MODIFICATIONS, OR US SUGGESTIONS FOR NUMEROUS OR MAJOR CHANGES IN TEXT, WOULD PUT US IN ROLE OF ISOLATED HOLDOUT AND EXPOSE US TO CHARGE THAT WE WERE OBSTRUCTING STUDY. THERE WOULD ALSO BE WIDESPREAD SUSPICION THAT UNDUE DELAY IN REACHING DECISION ON STUDY, OR EFFORTS TO ACHIEVE MAJOR CHANGES, REFLECT US POLICY SHIFT AWAY FROM PRESENT CONDITIONAL SUPPORT FOR NWFZ'S. IF STUDY DOES NOT GO FORWARD TO CCD REASONABLY SOON, WE THINK IT LIKELY THAT SOME OF MORE EXTREME DELEGATIONS, NOTABLY MEXICO, WILL TAKE POSITION THAT CCD CANNOT FULFILL ITS MANDATE AND THAT STUDY SHOULD BE TRANSMITTED DIRECTLY TO SYG BY THOSE COUNTRIES THAT ENDORSE STUDY. BJORNERSTEDT (UN) HAS ALREADY EXPRESSED CONCERN PRIVATELY TO US DEL ABOUT THIS POSSIBILITY.

7. WITH THESE CONSIDERATIONS IN MIND, US DEL BELIEVES THAT TUESDAY, AUG 19, IS LAST POSSIBLE PLENARY MEETING TO WHICH REPORT CAN BE FORMALLY CONFIDENTIAL

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CONVEYED TO CCD. THIS WOULD REQUIRE FORMAL APPROVAL BY INSTRUCTED EXPERTS NO LATER THAN MONDAY EVENING, AUG 18. WE THEREFORE REQUEST AS SOON AS POSSIBLE, BUT DEFINITELY NO LATER THAN OPENING OF BUSINESS HERE MONDAY, INSTRUCTIONS TO SEEK MINIMUM CHANGES NECESSARY FOR US APPROVAL OF STUDY. WE WOULD THEN BE IN POSITION TO ASK FOR EXPERTS' GROUP MEETING MONDAY MORNING TO REVIEW AND INCORPORATE FURTHER SUGGESTIONS BY GOVERNMENTS. IMMEDIATELY THEREAFTER WE WOULD REPORT OUTCOME OF MEETING AND SEEK INSTRUCTIONS ON WHETHER WE CAN SIGN STUDY AT MEETING MONDAY EVENING. US DEL STRONGLY BELIEVES THAT ANY DELAY BEYOND THIS SCHEDULE IS LIKELY TO LEAD TO UNDESIRABLE CONSEQUENCES OUTLINED ABOVE.DALE

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